

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

UNITED STATES OF AMERICA

v.

ROBERT PURBECK

Criminal Action No.

3:21-cr-0004-TCB-RGV

**CONSENT ORDER ON DEFENDANT'S
MOTION TO COMPEL DISCOVERY**

WHEREAS on December 13, 2021, the defendant, Robert Purbeck, filed a Motion to Compel Discovery, [Doc. 29], and by consent of the parties, the Courthereby rules upon the Motion as follows:

Unredacted Search Warrant Applications

The Motion to Compel with respect to production of unredacted copies of search warrant applications is **GRANTED**. The Government shall produce unredacted copies of all applications for search warrants in this case by **December 30, 2021**, to include the audio of the presentation to the Magistrate Judge in the District of Idaho, to counsel for the Defendant so that counsel may perfect his motions to suppress and otherwise raise matters that are appropriate for the defense of this criminal case.

Considering the sensitive nature of these materials and the Government's interest in maintaining the confidentiality of the identity of human sources, and that the materials are subject to a limited disclosure order entered in the District

of Idaho, counsel for the defendant shall not reproduce or provide copies of the unredacted materials to the defendant Purbeck or any other person. However, counsel for the defendant may discuss the unredacted materials with the defendant and show copies to the defendant in person or via a computer screen-share function. The materials are provided solely for the purpose of the defense of this criminal case.

Miranda Forms

The Government has represented that no *Miranda* or advisement of legal rights forms were presented to the defendant (except for the consent to assume online identity form that was previously produced) and, therefore, the Government is not in possession of any such forms. The Motion to Compel with respect to *Miranda* or advice of legal rights forms is therefore **DENIED** without prejudice with leave to renew following the evidentiary hearing on the defendant's motion to suppress statements, [Doc. 25].


Recordings of Government Interactions with Defendant

The Government has represented that it is not in possession of any recordings of Government interactions with the defendant, and no such recordings exist except for the recording of the defendant's proffer session at FBI Atlanta, which has already been produced. The Motion to Compel with respect to recordings is therefore **DENIED** without prejudice with leave to renew following the evidentiary hearing on the defendant's motion to suppress statements, [Doc. 25].

Communications with "Dissent"

The Government has agreed to produce all email or other communications in its possession between the person known as "Dissent" and the defendant. Therefore, the Motion is **GRANTED** with respect to such communications which shall be produced by **December 30, 2021**. The communications with "Dissent" may be shared with the defendant solely for the purpose of the defense of this criminal case.

SO ORDERED this 20th day of December, 2021.



RUSSELL G. VINEYARD
UNITED STATES MAGISTRATE JUDGE

Prepared by:

Michael Herskowitz, Assistant United States Attorney

Consented to by:

Andrew Hall, counsel for the Defendant